

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

Khalif Williams

Plaintiff,

v.

James M. Murray, Director, United States
Secret Service,
Robert Young, Piscataquis County Sheriff,
and
Michael Sauschuck, Commissioner, State
of Maine Department of Public Safety

Defendants.

CIVIL NO.

VERIFIED COMPLAINT

Introduction

1. Plaintiff Williams intends to travel to Guilford, Maine on June 5, 2020 to engage in political speech, directed at the President of the United States, on the subject of police brutality and racial justice.
2. Plaintiff Williams lives in Blue Hill, Maine, is a Racial Justice Organizer and Activist and has an intention to travel to Guilford to express his opposition to the Trump administration's position on the current uprisings in American cities and to ask him to resign as President.
3. Plaintiff Williams is particularly concerned about President Trump's recent threats to use the United States Military to police dissent and

silence peaceful protestors who disagree with the President's statements and policies on silencing dissent and police misconduct.

4. Plaintiff Williams has been involved in planning this trip to Guilford since he learned that the President intended to appear in Guilford to publicize the work of Puritan Medical Products making testing swabs for COVID-19.
5. Plaintiff Williams recently learned that law enforcement, in conjunction with the United States Secret Service plans to shut down all roads into Guilford on June 5, 2020, thereby impeding Plaintiff Williams access to meaningful expression of his political views to the President and the press covering the President's visit to Puritan Medical Products.

Parties

6. Khalif Williams is a Racial Justice Community Organizer and Activist. Mr. Williams is planning to travel to Guilford, Maine in anticipation of President Trump's visit to Puritan Medical Products in Guilford.

Jurisdiction and Venue

7. This action seeks to vindicate and protect the rights to free speech guaranteed by the First and Fourteenth Amendments to the United States Constitution and is brought under 42 U.S.C. §1983, and *Bivens v. Six Unknown Named Agents* 403 U.S. 388(1971). This court has subject-matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343, and 1988, as this action arises under the Constitution and

laws of the United States. The court also has jurisdiction to grant declaratory relief and further relief that is necessary and proper pursuant to 28 U.S.C. §§2201.

8. The court has personal jurisdiction over James M. Murray because Agents under his direction have been acting within their official capacity to prepare for and plan to take law enforcement and security actions regarding the President's visit on June 5, 2020. The court has personal jurisdiction over Defendant's Sauschuck and Young because they act in their official capacities within this federal district and are located within this federal district.
9. Venue is proper under 28 U.S.C. §1391(b)(1)(2) because Defendants are located within this district, and a substantial part of the events or omission giving rise to this claim occurred within this district.

Facts

10. On June 1, 2020 Police in Washington, D.C. along with National Guard Troops used force, chemical weapons, and shields and batons to disperse lawful, peaceful protestors from a park so that President Trump could walk through the park to conduct a press conference outside a nearby church. *See e.g. Police Use Munitions to Forcibly Push Back Peaceful Protesters for Trump Church Visit*, ABC News, June 2, 2020 (Available at

<https://abcnews.go.com/Politics/national-guard-troops-deployed-white-house-trump-calls/story?id=71004151>)(last visited June 4, 2020).

11. On Tuesday, June 2, Secret Service Agents visited Guilford, Maine to scout the area in advance of President Trump's visit scheduled for June 5, 2020. *See Secret Service in GUilford ahead of President Trup's planned visit to Maine*, WMTW June 2, 2020 (*avaliable at* <https://www.wmtw.com/article/secret-service-in-guilford-ahead-of-president-trumps-planned-visit-to-maine/32746947>)(last visited June 4, 2020).
12. The United States Secret Service is preparing to provide security to the President during the visit and collaborating with Piscataquis County Sheriff and the Maine State Police to provide a "safe visit for the President." Id.
13. According to numerous witnesses, the Piscataquis County Sheriff's Office has planned to close all roads into and around the location of the President's visit. One witness spoke with someone at the Piscataquis County Sheriff's Office and was told that roads would be closed, road blocks would be in place, and that traffic would be re-directed onto alternate routes to detour around Guilford.
<https://observer-me.com/2020/06/04/traffic-detours-likely-during-presidential-visit-to-guilford-friday/> (last Visited June 4, 2020)

14. Puritan Medical Products, the site of President Trump's planned visit is located at 31 School Street, in Guilford Maine.
15. Plaintiff Williams wishes to exercise his right to free expression, and engage in core political speech, directed at the President of the United States of America, and convey his displeasure with the President's policies and statements.
16. Plaintiff Williams' lawful exercise of his First Amendment rights is threatened with irreparable harm by the plan of the Defendants to shut down all roads leading into Guilford.
17. A number of pro-Trump demonstrators have already arrived in Guilford, and plan to be inside the road-blocks established by the Defendants, and will therefore have advantageous vantage points from which to express their views.

Claims

Count I: First Amendment to the United States Constitution

18. Plaintiff Williams wishes to engage in speech and conduct which is protected by the First Amendment, by appearing in the vicinity of President Trump's motorcade, or Puritan Medical Products, or the President's press conference with signs, banners, or expressive clothing, and by speaking aloud his views.
19. Plaintiff Williams' speech will be critical of the President.

20. Other demonstrators, with views in support of the President are already in Guilford, and planning a rally or demonstration in the vicinity of the Presidents' motorcade, press conference, or Puritan Medical Products. If law enforcement allows demonstrators with a particular viewpoint who happen to already be within the bounds of the road-blocks to engage in expressive conduct, but refuses to allow demonstrators with a different viewpoint who happen to be outside the road-blocks to have similar times, places, and manners in which to engage in protected speech and expressive conduct, such a disparity in access and freedom of expression amounts to a de facto content based restriction of speech in violation of the First and Fourteenth Amendments to the United States Constitution.
21. Plaintiff Williams and others similarly situated will be excluded from a reasonable time, place and manner for their expressive conduct if the current plan to close all roads into Guilford is enacted. Such an exclusion will result in irreparable harm to Plaintiff's civil liberties and constitutional rights.
22. The plan to shut down the roads, and Plaintiff's access amounts to a prior restraint against free speech and expressive conduct by the Defendants in violation of the First and Fourteenth Amendments of the United States Constitution.

PRAYER FOR RELIEF

WHEREFORE Plaintiff respectfully requests that this Court provide the following relief:

- a) Declare Defendants' plan to close all roads into Guilford for the time period surrounding the President's visit unlawful;
- b) Declare that Defendants' plan to limit or prohibit expressive activity in its entirety in the vicinity of the president is unlawful; or in the alternative that creation of a de facto viewpoint based distinction between who has access to meaningful opportunities for expressive speech is unlawful.
- c) Declare that Defendants' preemptive actions against Plaintiff's core political speech violate Plaintiff's rights under the First and Fourteenth Amendment to the United States Constitution.
- d) Enjoin the Defendants' from restricting free expression beyond those restrictions which are reasonable time, place, and manner restrictions or from enforcing such limitations which might result in the de facto wholesale denial of Plaintiff's political expression.
- e) Award Plaintiffs' costs and attorney's fees pursuant to 42 U.S.C. Sec. 1988, and,
- f) Grant such other relief as this Court deems just and proper.

Dated: June 4, 2020

Respectfully Submitted,

Logan E. Perkins

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